Rao Sahib P. V. GOPALAN :—" I have got some boys who have got 80 per cent or more than what the European boys in English have got. Are they to be considered backward? I am paying double fees even when they have got higher proficiency in English."

Voting in the Legislative Council.

Alleged influence of the Labour Commissioner on the nominated members of the Legislative Council.

* 5 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state—

(a) whether at any time the Labour Commissioner has sought to influence the nominated members of the Council;

(b) whether Mr. Paddison at any time spoke to the hon. Lieut. Madurai about his having voted against the Government in a particular division; and

(c) whether there is any arrangement under which Mr. Paddison is to act as a whip for the Government in relation to the nominated members of the Council?

A.—(a) & (b) The Government have no information.

(c) The answer is in the negative.

Mr. A. RAMASWAMI MUDALIYAR :—" On a point of order, Sir, I should like to ask you how this question has been admitted."

Mr. S. SATYAMURTI :—" May I submit a point of order? Unless I consent to yield my hon. Friend has no right, Sir, to take my place."

The DEPUTY PRESIDENT :—" Never mind, he has raised a point of order Let him have his say."

Mr. S. SATYAMURTI :—" I do not want to yield my place to my hon. Friend. I follow the precedents of the House of Commons and the Assembly."

Mr. A. RAMASWAMI MUDALIYAR :—" I have also followed the precedents both in the House of Commons and in the Assembly and any member who raises a point of order should take the precedence. This particular question is not admissible under the Standing Orders."

Mr. C. RAMALINGA REDDI :—" May I know whether a question having been once admitted it is open to any member to raise a point of order regarding its admissibility? "

Mr. A. RAMASWAMI MUDALIYAR :—" This is the only occasion on which I can raise a point of order. It is only when it is on the agenda that I can raise a point of order. It has not yet been answered. It has been printed and placed into our hands. When the question is called either by the Secretary or the Assistant Secretary that is the stage at which I can object. Though the printed copy says what the answer is it is still open to us to say that this particular portion can be shut out from the proceedings of the Council."

The DEPUTY PRESIDENT :—" I am afraid it is too late to raise that point of order. There it is and the answer is given."

Mr. S. SATYAMURTI :—" I am much obliged. I am sure the hon. the Home Member realizes, especially as he is the Leader of the House . . . '

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The DEPUTY PRESIDENT :—" May I beg of you to ask the question and not to make a speech?"

Mr. S. SATYAMURTI :—" I have finished my speech and I will now put the question. I would ask the hon. the Home Member the reasons why Government did not collect the information on such a simple and easy matter."

The hon. Sir ARTHUR KNAPP :—" I do not think it is incumbent on the Government to inquire of Mr. Paddison as to what he has done personally. The answer was given that as Labour Commissioner or as an official he had certainly not done what is suggested. What private conversations he may have had with members, including the hon. Member for the University, I do not propose to ask."

Mr. S. SATYAMURTI :—" I believe Mr. Paddison and I are great friends. I am simply asking whether I can take it as the answer of the Government that the Labour Commissioner has never sought to influence the nominated members of this Council."

The hon. Sir ARTHUR KNAPP :—" The Labour Commissioner is not authorized by Government to influence votes."

Mr. S. SATYAMURTI :—" May I therefore ask if, when the Government has not authorized any official to influence and still an allegation is made, the Government will shut its eyes?"

The hon. Sir ARTHUR KNAPP :—" May I ask whether an allegation is made?"

Mr. S. SATYAMURTI :—" The allegation is in the question."

The hon. Sir ARTHUR KNAPP :—" May I ask whether the hon. Member takes responsibility for the allegation?"

Mr. S. SATYAMURTI :—" It is in the form of the question. I do not understand the argument."

The hon. Sir ARTHUR KNAPP :—" I must decline to contradict an allegation which has not yet been made. The hon. Member has many opportunities of making allegations and if he does so, I will then deal with them. I do not think that when a question is asked, then *ipso facto* it is to be regarded as an allegation. Questions are put for purposes of eliciting information."

Mr. S. SATYAMURTI :—" I am asking for information whether the Labour Commissioner sought to influence members of Council. May I know, Sir, whether he will call for the information?"

The hon. Sir ARTHUR KNAAP :—" As I have already said, we are aware that the Labour Commissioner has not in any kind of official capacity been asked to influence anyone. If in his personal capacity he has discussed the proceedings of this Council with any member of the House it is a matter in which the Government have no reason to interfere. As regards his private conversations, he is on the same footing as the hon. Member on the opposite side."

Mr. J. A. SALDANHA :—"May I know whether the Government has forgotten the history in answering in the negative. I refer to the recent proceedings at which it was brought to the notice of this Council that the hon. Mr. Paddison sent a telegram."

The DEPUTY PRESIDENT :—"I am afraid the hon. Member is making a speech, instead of putting a supplemental question."

Mr. J. A. SALDANHA :—"I am asking a question with a little introduction." (Laughter).

The DEPUTY PRESIDENT :—"The hon. Member may go on with his question instead of his speech."

Mr. J. A. SALDANHA :—"My question is with reference to the motion regarding the want of confidence in the Ministry discussed in November 1923; whether Mr. Paddison did not send a telegram to the nominated members to come down to Madras and vote on a particular side."

The hon. Sir ARTHUR KNAPP :—"I am very glad the hon. Member has persevered in his question. I should like him to read the proceedings of this Council in connexion with the proposed vote of No-confidence. The circumstances regarding that telegram have been fully explained and by no stretch of imagination could it be described as a whip. The hon. Member is not justified in suggesting that any kind of whip was issued."

Mr. S. SATYAMURTI :—"With reference to the supplementary answer of the hon. the Home Member that Mr. Paddison is exactly in the same position as the other members of the House, may I ask the hon. the Home Member whether he will sit with equanimity if the hon. Member were to sit on this side and vote as he liked?"

The DEPUTY PRESIDENT :—"I think the Secretary had better pass on."

Mr. S. SATYAMURTI :—"That is the best solution."

Civil Justice.

Disposal of unexpended witness-batta.

*6 *Q.*—Mr. G. RAMESWARA RAO: Will the hon. the Law Member be pleased to state—

(*a*) what are the amounts in each of the last three years which were sent to the treasury as unexpended witness-batta and what are the amounts claimed by the parties out of such amounts after they were sent to the treasury and actually refunded in this Presidency; and

(*b*) what, if any, is the estimated gain to the Government by the new rule of the High Court in the recent circular R.O.C. No. $\frac{3848}{21}$, dated 25th March 1924?

A.—The Government have no information but will call for it.

Mr. G. RAMESWARA RAO :—"May I request the hon. the Law Member to also inquire under what statute the circular was issued?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"There is no question of statute here."